

Notice of Allowability

Application No.

10/751,241

Examiner

Korie H. Chan

Applicant(s)

COREY ET AL.

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone communication of March 16, 2005.
2. ☒ The allowed claim(s) is/are 2,4-8,10,12-15,21 and 22.
3. ☒ The drawings filed on 02 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 1/2/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date attached hereto.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Korie H. Chan
Primary Examiner
Art Unit: 3632

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Corey on March 16, 2005.

The application has been amended as follows:

Claim 1 has been replaced with the following new claim 21:

- - Claim 21 (new). An apparatus for holding a portable electronic device, comprising:

- a) a base member formed of thin, flat, rigid material, and having
 - i) a lower portion with a first substantially flat surface against which an inner lower surface of the device can be mounted;
 - ii) an upper bifurcated portion defining a central slot with a relatively wide open upper end and a relatively narrow closed lower end adjoining said lower portion, and on the sides of said slot open upper end a pair of upwardly-extending, laterally-spaced, second and third mounting surfaces, against which spaced-apart inner upper surfaces of the device can be mounted;
 - iii) a first pair of holes formed in the outer ends of said second and third mounting surfaces;

- iv) a second hole formed in a lower end of said lower portion;
- v) a plurality of inwardly-extending notches formed in the outer edge surfaces of said lower and upper portions;
- b) a cord having
 - i) each of two end portions threaded through said first pair of holes;
 - ii) a middle portion formed as a loop and threaded through said second hole; and
 - iii) a resilient wedge member is on each end of said cord; and
- c) wherein said device, when equipped with a mounting clip or button, is adapted to be detachably secured to said base member by being mounted on said closed lower end of said slot, and if not so equipped is adapted to be strapped to said base member by use of said cord, and by use of said wedge members said apparatus is adapted to be suspended from a structure formed so as to receive, squeeze, and detachably hold said wedge members and thereby suspend said base member. - -

Claim 2, line 1, "claim1" has been replaced with - - claim 21 - -; and then "at least somewhat" has been deleted.

Claim 3 has been cancelled.

Claims 4 through 8, line 1, "claim 1" has been replaced with - - claim 21 - -.

Claim 9 has been replaced with the following new claim 22:

- - Claim 22 (new). An apparatus for holding a portable electronic device, comprising:
- a) a base member formed of thin, flat, rigid material, and having
 - i) a lower portion with a first substantially flat surface against which an inner lower surface of the device can be mounted;
 - ii) an upper bifurcated portion defining a central slot with a relatively wide open upper end and a relatively narrow closed lower end adjoining said lower portion, and on the sides of said slot open upper end a pair of upwardly-extending, laterally-spaced, second and third mounting surfaces, against which spaced-apart inner upper surfaces of the device can be mounted;
 - iii) a first pair of holes formed in the outer ends of said second and third mounting surfaces;
 - iv) a second hole formed in a lower end of said lower portion;
 - b) a cord having
 - i) each of two end portions threaded through said first pair of holes;
 - ii) a middle portion formed as a loop and threaded through said second hole; and
 - iii) a resilient wedge member is on each end of said cord; and

c) wherein said device, when equipped with a mounting clip or button, is adapted to be detachably secured to said base member by being mounted on said closed lower end of said slot, and by use of said wedge members said apparatus is adapted to be suspended from a structure formed so as to receive, squeeze, and detachably hold said wedge members and thereby suspend said base member.

Claim 10, line 1, "claim 9" has been replaced with - - claim 22 - -; and then "at least somewhat" has been deleted.

Claim 11 cancelled.

Claims 12 through 15, line 1, "claim 9" has been replaced with - - claim 22 - -.

Claims 16 through 20 have been cancelled.

Reasons For Allowance

The following is an examiner's statement of reasons for allowance: The prior art of record alone or in combination fail to disclose the apparatus as claimed having particularly a cord with end portions threaded through the first pair of holes on the outer ends of the second and third mounting surfaces on the sides of an upper bifurcated portion and the cord middle portion formed as a loop and threaded through a second hole on the lower end of a lower portion wherein the cord has a resilient wedge member at the ends of the cord.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cuff, Froyd, Nuse, Low, and Japanese patent generally teach a cord threaded through a base member but does not teach the combinational elements of a cord having a middle loop portion extend through hole at bottom of base member with ends through pair of holes at upper portion of base member and base plate with bifurcated upper portion with slot. Hossack et al teach use of wedge in dashboard of car but does not show any plate base member nor cord combination apparatus. Grant et al demonstrate electronic device holder on dashboard of car but does not show the cord and base member arrangement. Hancock et al, Green, and Holder teaches an electronic device on a base member secured by resilient loops (66) but does not show the combinational elements the cord having middle loop through hole at bottom of base member with ends of cord through pair of holes at upper portion of base member.

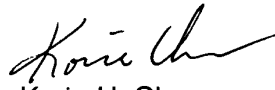
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 703-305-8079. The examiner can normally be reached on Monday - Thursday.

Application/Control Number: 10/751,241
Art Unit: 3632

Page 7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on 703-308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Korie H. Chan
Primary Examiner
Art Unit 3632

khc
March 16, 2005